



**Eric Gonzalez**  
District Attorney

**DISTRICT ATTORNEY  
KINGS COUNTY**

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**[INSERT NAME]**  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: DANIEL SMITH**

**MOS TAX: [REDACTED]**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 1/2/10, AGAINST MOS SMITH:

1. SAID MOS SMITH, ASSIGNED TO THE 72<sup>ND</sup> PRECINCT, AT APPROXIMATELY 1810 HOURS, WHILE VISITING A LOCATION KNOWN TO THE DEPARTMENT, UNDERSIGNED OBSERVED MOS SMITH IN A RELAXED STATE AND HIS EYES CLOSED. AS UNDERSIGNED ENTERED ROOM, PRISONER WAS HAVING A CONVERSATION ON THE HOSPITAL PHONE. MOS SMITH QUICKLY BECAME ALERT. MOS SMITH WAS ORDERED OUT OF THE ROOM. HE STATED HE WAS SLEEPING AND WAS TIRED. UNDERSIGNED: INSTRUCTED IN THE PROPER PERFORMANCE OF GUARDING A PRISONER, COMMAND DISCIPLINE WAS ISSUED. PRISONER WAS SHACKLED TO THE BED, NO ESCAPE RISK OBSERVED. PRISONER WAS SECURED.

ACTION TAKEN: MOS FORFEITED FIVE (5) ANNUAL LEAVE DAYS AND 'B' COMMAND DISCIPLINE ISSUED  
CASE CLOSED ON 3/25/10

**Disclosure #2:**

MOS SMITH PLED GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS, DATED ON OR ABOUT MARCH 25<sup>TH</sup>, 2012, WHILE ASSIGNED TO THE 72<sup>ND</sup> PRECINCT AND OFF DUTY:

1. SAID MOS SMITH, WITHIN THE CONFINES OF THE 120TH PRECINCT, IN RICHMOND COUNTY, DID WRONGFULLY OPERATE A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICANT.
2. SAID MOS SMITH, WITHIN THE CONFINES OF THE 120TH PRECINCT, IN RICHMOND COUNTY, DID WRONGFULLY OPERATE A MOTOR VEHICLE WHILE HIS ABILITY WAS IMPAIRED BY AN INTOXICANT.
3. SAID MOS SMITH ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID MOS REFUSED TO SUBMIT TO A BLOOD ALCOHOL TEST.
4. SAID MOS SMITH DID CONSUME AN INTOXICANT TO THE EXTENT THAT SAID MOS WAS UNFIT FOR DUTY.

ACTION TAKEN: MOS WAS PLACED ON DISMISSAL PROBATION FOR ONE (1) YEAR AND SUSPENDED FOR THIRTY (30) DAYS. IN ADDITION, MOS SMITH FORFEITED TEN (10) VACATION DAYS  
CASE CLOSED ON 3/26/13

**Disclosure #3:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 3/4/18, AGAINST MOS SMITH:

1. COURT APPEARANCE - UNPREPARED (NO SUMMONS) – TRAFFIC VIOLATIONS BUREAU

ACTION TAKEN: SCHEDULE 'A' COMMAND DISCIPLINE

CASE CLOSED ON 8/27/18

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE  
UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.**

Eric Gonzalez  
District Attorney  
Kings County